

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

vs.

MICHAEL DAVID BAILEY,

Defendant/Movant.

CR 13-62-BLG-DWM

ORDER

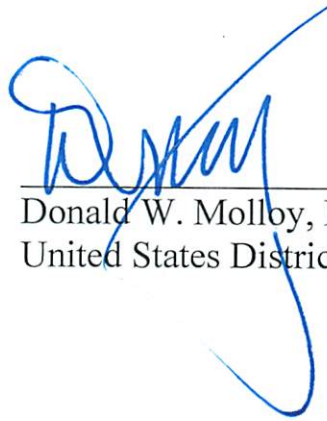
Defendant Michael David Bailey has waived his right to be present at his July 13, 2023 sentencing hearing under Federal Rule of Criminal Procedure 43(c)(1)(B) and asks the Court to enter an amended judgment and vacate the sentencing hearing. (Doc. 75.) The government does not oppose. (*Id.*) Although it is not possible for an amended judgment to be entered because Bailey's original judgment was vacated, (*see* Doc. 64), Bailey's request is granted and a new judgment will be entered contemporaneously with this Order. Accordingly,

IT IS ORDERED that Bailey's motion (Doc. 75) is GRANTED as follows:

- (1) a new judgement sentencing Bailey to time served with 1 year of supervised release will be entered contemporaneously with this Order;
- (2) the July 13, 2023 sentencing hearing is VACATED;

(3) the Clerk is directed to immediately notify the Bureau of Prisons and United States Probation Office of entry of this Order.

DATED this 28th day of June, 2023.



Donald W. Molloy, District Judge
United States District Court

16:07 P.M.